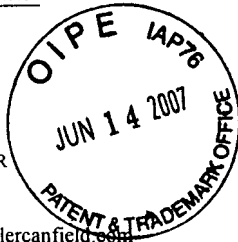


Founded in 1852  
by Sidney Davy Miller



ANDREW N. WEBER  
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E-MAIL [weber@millercanfield.com](mailto:weber@millercanfield.com)

# MILLER CANFIELD

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June 11, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application No.: 09/839,270  
Filing Date: 04/19/2001  
Inventor: Michael Cheiky  
Title: Silver-Zinc Alkaline Rechargeable Battery (Stacking Order)  
Our Ref No.: 133798/00035/0035

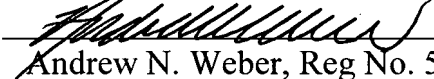
Dear Sir:

Enclosed for filing please find:

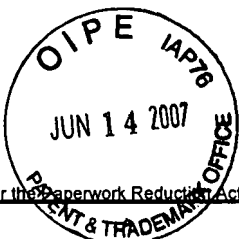
- 1) Transmittal Form (PTO/SB/21) with Certificate of Mailing with the USPS;
- 2) Power of Attorney and Correspondence Address Indication Form (PTO/SB/81) (2 pages);
- 3) Statement Under 37 CFR 3.73(b) (PTO/SB/96);
- 4) Return Receipt Postcard, please return to us acknowledging the date of receipt of these forms.

Very truly yours,

Miller, Canfield, Paddock and Stone, P.L.C.

By:   
Andrew N. Weber, Reg No. 55,888

ANW/cib  
Enclosures  
c: Zinc Matrix Power, Inc.  
KZLIB:545509.1\133798-00035



PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number	09/839,270
Filing Date	04/19/2001
First Named Inventor	MICHAEL CHEIKY
Art Unit	1745
Examiner Name	ANGELA J. MARTIN
Attorney Docket Number	133798/00035/0035

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	SEE REMARKS BOX BELOW:
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<b>Remarks</b>	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	1. COVER LETTER TO COMMISSIONER FOR PATENTS (1 PG)	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	2. THIS TRANSMITTAL FORM (PTO/SB/21) (1 PG)	
	3. POWER OF ATTORNEY & CORRESPONDENCE ADDRESS FORM (PTO/SB/81) (2 PGS);	
	4. STATEMENT UNDER 37 CFR 3.73(b) (PTO/SB/96) (1 PG);	
	5. RETURN RECEIPT POSTCARD; PLEASE RETURN ACKNOWLEDGING DATE OF RECEIPT	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.		
Signature			
Printed name	ANDREW N. WEBER		
Date	JUNE 11, 2007	Reg. No.	55,888

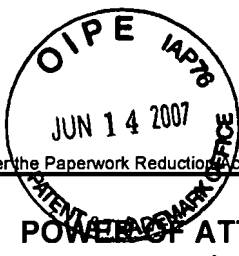
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	CONNIE BRENNAN	Date	JUNE 11, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/81 (01-06)

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	09/839,270
Filing Date	04/19/2001
First Named Inventor	MICHAEL CHEIKY
Title	SILVER-ZINC ALKALINE RECHARGEABLE
Art Unit	1745
Examiner Name	ANGELA J. MARTIN
Attorney Docket Number	133798/00035/0035

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☐ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:

Name	Registration Number
JONATHAN P. O'BRIEN	50,852
ANDREW N. WEBER	55,888
CATHERINE A. PRODY	53,487
CONTINUED ON ATTACHED PAGE 2	CONTINUED

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☒ Firm or Individual Name JONATHAN P. O'BRIEN / MILLER, CANFIELD, PADDOCK AND STONE

Address 444 WEST MICHIGAN AVENUE

City KALAMAZOO State MICHIGAN Zip 49007

Country U.S.A.

Telephone 269-383-5833 Email obrienj@millercanfield.com

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature	<i>George W Adamson</i>	Date	4 June 07
Name	George W Adamson	Telephone	805 453 3680
Title and Company	VP Product Development, Zinc Matrix Power		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

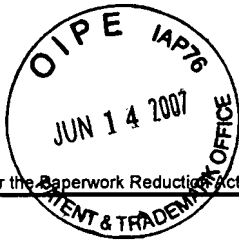
This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Additional Practitioners Continued from Page 1

Name	Registration Number
Noel E. Day	57,597
Raymond G. Arner	32,958
Robert K. Roth	36,660
Marjory G. Basile	28,181
Richard A. Gaffin	28,949

KZLIB:541833.1



PTO/SB/96 (04-07)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: ZINC MATRIX POWER, INC.Application No./Patent No.: 09/839,270 Filed/Issue Date: 04/19/2001Entitled: SILVER-ZINC ALKALINE RECHARGEMABLE BATTERY (STACKING ORDER)ZINC MATRIX POWER, INC., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012020, Frame 0964, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

George W. Adamson

Printed or Typed Name

U.P. Product Development

Title

4 June 07

Date

805 453 3680

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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